

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

FILED

DEC 13 2017

UNITED STATES OF AMERICA,

Plaintiff,

-VS-

JOHN CLARENCE BRADLEY,

Defendant.

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY Andrew Coe, DEPUTY

No.

Violation: 18 U.S.C. § 1347

INDICTMENT

The Federal Grand Jury charges:

At all times relevant to this Indictment:

Introduction

1. The Medicaid Program (“Medicaid”) was a cooperative federal and state program that provided federal and state funds to pay for health care benefits for children and other individuals whose household incomes were insufficient to meet the costs of necessary medical expenses. Medicaid was administered federally by the Centers for Medicare and Medicaid Services, a federal agency under the U.S. Department of Health and Human Services. In the state of Oklahoma, Medicaid was administered as “SoonerCare” by the Oklahoma Health Care Authority (“OHCA”), a state governmental agency responsible for receiving, reviewing, and paying Medicaid claims submitted by approved health care providers.

2. Behavioral health counseling services were among the types of reimbursable

medical assistance available to Medicaid-eligible individuals.

3. In order to be approved to receive Medicaid reimbursement in Oklahoma, a health care provider must have first entered into a Provider Agreement with the OHCA and have received a provider number. Under the Provider Agreement, the health care provider certified that all information submitted on claims would be accurate and complete, assured that the OHCA's requirements would be met, and assured compliance with all applicable federal and state laws and regulations.

4. The OHCA paid approved health care providers for completed services by way of the claim process. Health care providers submitted claims to the OHCA that included the name and Medicaid provider number of the provider rendering the service, the name and Medicaid provider number of the provider's employer, if any, the name and identification information of the Medicaid beneficiary to whom the service was provided, the date the service was provided, the type of service provided, and the length of service provided. Providers could elect to submit claims for reimbursement electronically.

5. The amount of reimbursement that health care providers received from the OHCA was determined with reference to predetermined Medicaid fee schedules based on the type and length of service. Payments to a provider were deposited electronically by the State Treasurer into the bank account of the provider's employer.

6. The Oklahoma Administrative Code sets forth regulations governing the conduct of licensed professional counselors (LPCs). The Code provides that "LPCs shall

not undertake to provide counseling to any person with whom the LPC has had any prior sexual contact or familial, social, financial, business, professional, close personal, or other non-therapeutic relationship. . . .” OAC 86:10-3-3(d).

The Defendant

7. **JOHN CLARENCE BRADLEY** was a resident of the Western District of Oklahoma. He lived and worked in Oklahoma City.

8. **BRADLEY** was an LPC, and he had entered into a Provider Agreement with the OHCA.

9. Beginning in approximately October 2013, **BRADLEY** was the owner and an LPC employee of Primary Therapeutic Services, RLLP (“Primary Therapeutic”). **BRADLEY**, in his individual capacity and on behalf of Primary Therapeutic, entered into Provider Agreements with the OHCA.

10. Under the OHCA Provider Agreements, **BRADLEY** and Primary Therapeutic each received Medicaid provider numbers and were eligible to receive reimbursements from Medicaid for providing behavioral health counseling services to Medicaid-eligible individuals.

11. Medicaid beneficiaries D.S., A.S., J.G., Ju.G., and B.R. were siblings and were **BRADLEY**’s niece and nephews.

COUNTS 1-101
(Health Care Fraud, 18 U.S.C. § 1347)

12. The Federal Grand Jury re-alleges and incorporates by reference paragraphs 1 through 11 as though fully set forth herein.

Purpose of the Scheme and Artifice

13. It was the purpose of the scheme and artifice for **BRADLEY** to unlawfully enrich himself through the submission of false and fraudulent Medicaid claims to the OHCA for behavioral health counseling services that were rendered to his niece and nephews in violation of Medicaid regulations.

The Scheme and Artifice

14. It was part of the scheme and artifice to defraud that **BRADLEY**, through Primary Therapeutic, submitted and caused to be submitted to Medicaid claims for reimbursement for behavioral health counseling sessions that he purportedly provided to D.S., A.S., J.G., Ju.G., and B.R., his niece and nephews, in violation of state regulations prohibiting LPCs from providing therapeutic services to family members.

15. Relying on **BRADLEY's** fraudulent claims, the OHCA reimbursed Primary Therapeutic for behavioral health counseling services that **BRADLEY** purported to provide to his niece and nephews, in the approximate amount of \$182,732.12, for dates of service from October 31, 2013, through July 30, 2017.

Executions of the Scheme and Artifice

16. On or about the dates specified as to each count below, in the Western District of Oklahoma,

----- **JOHN CLARENCE BRADLEY** -----

knowingly and willfully executed and attempted to execute the above-described scheme and artifice to defraud Medicaid, a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), and to obtain money from Medicaid by means of materially false and fraudulent pretenses, representations, and promises, all in connection with the delivery of and payment for health care benefits, items, and services. In particular, **BRADLEY**, through Primary Therapeutic, submitted and caused to be submitted the following false and fraudulent claims for reimbursement to Medicaid, which resulted in the payments indicated:

Count	Date Claim Submitted to Medicaid	Medicaid Beneficiary Claimed	Date of Service and Type of Session Claimed	BRADLEY's Employer	Amount Paid by Medicaid
1	4/29/2014	J.G.	4/21/2014 Individual	Primary Therapeutic	\$103.08
2	4/29/2014	Ju.G.	4/21/2014 Individual	Primary Therapeutic	\$103.08
3	4/29/2014	Ju.G.	4/21/2014 Family	Primary Therapeutic	\$137.44
4	4/29/2014	B.R.	4/21/2014 Individual	Primary Therapeutic	\$103.08
5	4/29/2014	A.S.	4/22/2014 Individual	Primary Therapeutic	\$103.08
6	4/29/2014	D.S.	4/22/2014 Individual	Primary Therapeutic	\$103.08

7	4/29/2014	D.S.	4/22/2014 Family	Primary Therapeutic	\$137.44
8	4/29/2014	J.G.	4/24/2014 Individual	Primary Therapeutic	\$103.08
9	4/29/2014	Ju.G.	4/24/2014 Individual	Primary Therapeutic	\$103.08
10	4/29/2014	B.R.	4/24/2014 Family	Primary Therapeutic	\$137.44
11	4/29/2014	B.R.	4/24/2014 Individual	Primary Therapeutic	\$103.08
12	4/29/2014	A.S.	4/25/2014 Individual	Primary Therapeutic	\$103.08
13	4/29/2014	D.S.	4/25/2014 Family	Primary Therapeutic	\$137.44
14	4/29/2014	D.S.	4/25/2014 Individual	Primary Therapeutic	\$103.08
15	6/23/2015	J.G.	6/21/2015 Individual	Primary Therapeutic	\$103.08
16	6/23/2015	Ju.G.	6/21/2015 Family	Primary Therapeutic	\$171.80
17	6/23/2015	Ju.G.	6/21/2015 Individual	Primary Therapeutic	\$103.08
18	6/23/2015	B.R.	6/21/2015 Individual	Primary Therapeutic	\$103.08
19	6/23/2015	A.S.	6/22/2015 Individual	Primary Therapeutic	\$103.08
20	6/23/2015	D.S.	6/22/2015 Individual	Primary Therapeutic	\$103.08
21	6/23/2015	D.S.	6/22/2015 Family	Primary Therapeutic	\$171.80
22	7/7/2015	A.S.	6/24/2015 Family	Primary Therapeutic	\$171.80
23	7/7/2015	A.S.	6/24/2015 Individual	Primary Therapeutic	\$103.08
24	7/7/2015	D.S.	6/24/2015 Individual	Primary Therapeutic	\$103.08
25	7/7/2015	J.G.	6/26/2015 Individual	Primary Therapeutic	\$103.08

26	7/7/2015	Ju.G.	6/26/2015 Individual	Primary Therapeutic	\$103.08
27	7/7/2015	B.R.	6/26/2015 Individual	Primary Therapeutic	\$103.08
28	7/7/2015	B.R.	6/26/2015 Family	Primary Therapeutic	\$171.80
29	7/7/2015	A.S.	6/27/2015 Family	Primary Therapeutic	\$171.80
30	7/7/2015	A.S.	6/27/2015 Individual	Primary Therapeutic	\$103.08
31	7/7/2015	D.S.	6/27/2015 Individual	Primary Therapeutic	\$103.08
32	11/24/2015	J.G.	11/15/2015 Individual	Primary Therapeutic	\$103.08
33	11/24/2015	Ju.G.	11/15/2015 Individual	Primary Therapeutic	\$103.08
34	11/24/2015	B.R.	11/15/2015 Individual	Primary Therapeutic	\$103.08
35	11/24/2015	J.G.	11/17/2015 Family	Primary Therapeutic	\$171.80
36	11/24/2015	J.G.	11/17/2015 Individual	Primary Therapeutic	\$103.08
37	11/24/2015	Ju.G.	11/17/2015 Individual	Primary Therapeutic	\$103.08
38	11/24/2015	B.R.	11/17/2015 Individual	Primary Therapeutic	\$103.08
39	11/24/2015	A.S.	11/18/2015 Individual	Primary Therapeutic	\$103.08
40	11/24/2015	A.S.	11/18/2015 Family	Primary Therapeutic	\$171.80
41	11/24/2015	D.S.	11/18/2015 Individual	Primary Therapeutic	\$103.08
42	11/24/2015	J.G.	11/20/2015 Individual	Primary Therapeutic	\$103.08
43	11/24/2015	Ju.G.	11/20/2015 Family	Primary Therapeutic	\$171.80
44	11/24/2015	Ju.G.	11/20/2015 Individual	Primary Therapeutic	\$103.08

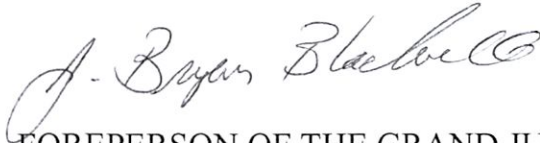
45	11/24/2015	B.R.	11/20/2015 Individual	Primary Therapeutic	\$103.08
46	11/24/2015	A.S.	11/21/2015 Individual	Primary Therapeutic	\$103.08
47	11/24/2015	D.S.	11/21/2015 Individual	Primary Therapeutic	\$103.08
48	11/24/2015	D.S.	11/21/2015 Family	Primary Therapeutic	\$171.80
49	12/22/2015	J.G.	12/20/2015 Individual	Primary Therapeutic	\$103.08
50	12/22/2015	Ju.G.	12/20/2015 Individual	Primary Therapeutic	\$103.08
51	12/22/2015	B.R.	12/20/2015 Individual	Primary Therapeutic	\$103.08
52	12/22/2015	B.R.	12/20/2015 Family	Primary Therapeutic	\$171.80
53	12/22/2015	A.S.	12/21/2015 Individual	Primary Therapeutic	\$103.08
54	12/22/2015	D.S.	12/21/2015 Family	Primary Therapeutic	\$171.80
55	12/22/2015	D.S.	12/21/2015 Individual	Primary Therapeutic	\$103.08
56	12/22/2015	J.G.	12/22/2015 Family	Primary Therapeutic	\$171.80
57	1/5/2016	J.G.	12/24/2015 Individual	Primary Therapeutic	\$103.08
58	1/5/2016	J.G.	12/24/2015 Family	Primary Therapeutic	\$171.80
59	1/5/2016	Ju.G.	12/24/2015 Individual	Primary Therapeutic	\$103.08
60	1/5/2016	B.R.	12/24/2015 Individual	Primary Therapeutic	\$103.08
61	1/5/2016	A.S.	12/26/2015 Individual	Primary Therapeutic	\$103.08
62	1/5/2016	A.S.	12/26/2015 Family	Primary Therapeutic	\$171.80
63	1/5/2016	D.S.	12/26/2015 Individual	Primary Therapeutic	\$103.08

64	1/19/2016	J.G.	1/17/2016 Individual	Primary Therapeutic	\$103.08
65	1/19/2016	J.G.	1/17/2016 Family	Primary Therapeutic	\$171.80
66	1/19/2016	Ju.G.	1/17/2016 Individual	Primary Therapeutic	\$103.08
67	1/19/2016	B.R.	1/17/2016 Individual	Primary Therapeutic	\$103.08
68	1/19/2016	A.S.	1/18/2016 Family	Primary Therapeutic	\$171.80
69	1/19/2016	A.S.	1/18/2016 Individual	Primary Therapeutic	\$103.08
70	1/19/2016	D.S.	1/18/2016 Individual	Primary Therapeutic	\$103.08
71	2/2/2016	J.G.	1/22/2016 Individual	Primary Therapeutic	\$103.08
72	2/2/2016	Ju.G.	1/22/2016 Individual	Primary Therapeutic	\$103.08
73	2/2/2016	Ju.G.	1/22/2016 Family	Primary Therapeutic	\$171.80
74	2/2/2016	B.R.	1/22/2016 Individual	Primary Therapeutic	\$103.08
75	2/9/2016	A.S.	1/23/2016 Individual	Primary Therapeutic	\$103.08
76	2/9/2016	D.S.	1/23/2016 Individual	Primary Therapeutic	\$103.08
77	2/9/2016	D.S.	1/23/2016 Family	Primary Therapeutic	\$171.80
78	4/26/2016	J.G.	4/17/2016 Individual	Primary Therapeutic	\$103.08
79	4/26/2016	Ju.G.	4/17/2016 Individual	Primary Therapeutic	\$103.08
80	4/26/2016	Ju.G.	4/17/2016 Family	Primary Therapeutic	\$137.44
81	4/26/2016	B.R.	4/17/2016 Individual	Primary Therapeutic	\$103.08
82	4/26/2016	A.S.	4/18/2016 Individual	Primary Therapeutic	\$103.08

83	4/26/2016	A.S.	4/18/2016 Family	Primary Therapeutic	\$137.44
84	4/26/2016	A.S.	4/21/2016 Family	Primary Therapeutic	\$137.44
85	4/26/2016	A.S.	4/21/2016 Individual	Primary Therapeutic	\$103.08
86	4/26/2016	D.S.	4/21/2016 Individual	Primary Therapeutic	\$103.08
87	4/26/2016	J.G.	4/23/2016 Individual	Primary Therapeutic	\$103.08
88	4/26/2016	Ju.G.	4/23/2016 Individual	Primary Therapeutic	\$103.08
89	4/26/2016	B.R.	4/23/2016 Family	Primary Therapeutic	\$137.44
90	4/26/2016	B.R.	4/23/2016 Individual	Primary Therapeutic	\$103.08
91	5/3/2016	D.S.	4/18/2016 Individual	Primary Therapeutic	\$103.08
92	3/28/2017	J.G.	3/19/2017 Individual	Primary Therapeutic	\$68.72
93	3/28/2017	Ju.G.	3/19/2017 Individual	Primary Therapeutic	\$68.72
94	3/28/2017	B.R.	3/19/2017 Individual	Primary Therapeutic	\$68.72
95	3/28/2017	A.S.	3/19/2017 Individual	Primary Therapeutic	\$68.72
96	3/28/2017	B.R.	3/20/2017 Individual	Primary Therapeutic	\$68.72
97	3/28/2017	A.S.	3/20/2017 Individual	Primary Therapeutic	\$68.72
98	3/28/2017	D.S.	3/20/2017 Individual	Primary Therapeutic	\$68.72
99	3/28/2017	J.G.	3/22/2017 Individual	Primary Therapeutic	\$68.72
100	3/28/2017	Ju.G.	3/22/2017 Individual	Primary Therapeutic	\$68.72
101	3/28/2017	D.S.	3/22/2017 Individual	Primary Therapeutic	\$68.72

All in violation of Title 18, United States Code, Section 1347.

A TRUE BILL:

A handwritten signature in cursive script, appearing to read "J. Bryan Blackwell".

FOREPERSON OF THE GRAND JURY

MARK A. YANCEY
United States Attorney

A handwritten signature in cursive script, appearing to read "Amanda Maxfield Green".

AMANDA MAXFIELD GREEN
Assistant U.S. Attorney

LORY DEWEY
Special Assistant U.S. Attorney